

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

|                           |   |                               |
|---------------------------|---|-------------------------------|
| EUGENE KENNETH BRINSON    | : | Civil Action No. 3:12-CV-1451 |
| and NICOLAS ANGEL-RIVERA, | : |                               |
|                           | : |                               |
| Plaintiffs,               | : | (Judge Brann)                 |
|                           | : |                               |
| v.                        | : |                               |
|                           | : |                               |
| UNITED STATES OF AMERICA, | : |                               |
|                           | : | (Magistrate Judge Carlson)    |
| Defendant.                | : |                               |

**ORDER**

May 13, 2013

**BACKGROUND:**

The undersigned has given full and independent consideration to the April 5, 2013 report and recommendation of Magistrate Judge Martin C. Carlson. ECF No. 51. No objections have been filed.

Because this Court agrees with Judge Carlson's analysis the Court will not rehash the sound reasoning of the magistrate judge and will adopt the report and recommendation in its entirety.

**NOW, THEREFORE, IT IS HEREBY ORDERED THAT:**

1. United States Magistrate Judge Martin C. Carlson's April 5, 2013 Report and Recommendation is ADOPTED in full. ECF No. 51.
2. Defendant's April 1, 2013 Motion to Dismiss Party (Nicholas Angel-Rivera) is GRANTED. ECF No. 48.
3. The clerk is directed to terminate Nicholas Angel-Rivera.
4. The action is remanded to Magistrate Judge Carlson for further proceedings.

s/ Matthew W. Brann  
Matthew W. Brann  
United States District Judge